IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3721 OF 2007

Municipal Corporation of the City of Malegaon ...Petitioner

Versus

Shri Pralhad Narhar Bhavsar & Anr. ...Respondents

.....

Mr.Suresh M.Sabrad for Petitioner.

Mr.Y.T.Mulani, A.G.P. for Respondent No.2.

.....

CORAM: A.M.KHANWILKAR, J.

JULY 6, 2007.

P.C.

1. There is no reason to interfere with discretionary and interlocutory order passed by the Trial Court granting amendment at the instance of Claimant No.2. That amendment obviously will be without prejudice to the rights and contentions of the parties on merits of the case including the issue of limitation, if any. All those questions will have to be decided on their own merits in the main proceedings in accordance with law.

2. Petition disposed of with the above observations.

A.M.KHANWILKAR, J.